

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



June 18, 2001

ALL-COUNTY INFORMATION NOTICE NO. I-48-01

TO: ALL COUNTY WELFARE DIRECTORS  
ALL WELFARE-TO-WORK COUNTY  
COORDINATORS  
ALL CalWORKs ELIGIBILITY MANAGERS  
ALL Cal-LEARN COORDINATORS  
ALL FOSTER CARE INDEPENDENT LIVING  
COORDINATORS

**REASON FOR THIS TRANSMITTAL**

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: WORKFORCE INVESTMENT ACT OF 1998

REFERENCE: HOUSE OF REPRESENTATIVE (H.R.) 1385 (PUBLIC LAW 105-220); H.R. 4328 (PUBLIC LAW 105-277); TITLE 20 CODE OF FEDERAL REGULATION (CFR) PART 652 AND PARTS 660 THROUGH 671; ALL-COUNTY INFORMATION NOTICE (ACIN) NO. I-05-99, DATED JANUARY 5, 1999; ACIN NO. I-62-99, DATED AUGUST 30, 1999; ACIN NO. I-98-00, DATED OCTOBER 13, 2000

This notice is to provide an update regarding the Workforce Investment Act of 1998 (WIA) as it applies to the California Work Opportunity and Responsibility to Kids (CalWORKs) Program. Under the WIA, there are required and optional programs. Although CalWORKs remains an optional partner for participation in WIA activities, the California Department of Social Services continues to encourage county welfare departments (CWDs) to coordinate and collaborate with the Local Workforce Investment Boards (Local Boards) and One-Stop Centers. It is also strongly recommended that CWDs review the WIA Final Rule to ensure that WIA services are fully utilized by adult CalWORKs recipients, as well as youth receiving public assistance, pregnant and parenting teens in the Cal-Learn Program, and foster care youth. The full text of the regulations may be accessed on the Internet at <http://www.access.gpo.gov> under the Code of Federal Regulations.

**Background:**

H.R. 1385 became law on August 7, 1998, establishing WIA as the national workforce investment system. With the issuance of an Executive Order on October 10, 1999, the Governor instituted WIA in California. On January 5, 2000, the Governor designated the

California Health and Human Services Agency with the overall administrative responsibility for the implementation of WIA in California.

### ***California Workforce Investment Board (CWIB)***

Sixty-four members of the CWIB were announced on December 19, 1999. As provided by federal law, the majority of members consist of businesses that reflect the employment opportunities of the State and represent diverse regions, which include urban, rural and suburban areas. The major responsibilities of the CWIB are to assist the Governor in developing the State Strategic Five-Year Plan, developing and continuing to improve the statewide workforce investment system, ensuring the non-duplication of services provided by One-Stop partners, designating Local Workforce Investment Areas (Local Areas), developing formulas for the allocation of adult and youth funds to local areas, continuing to improve comprehensive State performance measures, and developing the statewide employment statistics system.

At this time, CWIB has approved four administrative committees. They are the Executive, Performance-Based Accountability (PBA), Operations, and Economic Analysis, Planning and Systems Development (EAPSD) committees. Additionally, three subcommittees have been formed under EAPSD. They are the Emerging Economic Sectors, Integrated Information and Service Delivery, and Local, Youth and Special Needs Populations subcommittees.

Grantland Johnson, Secretary of the Health and Human Services Agency, has been designated as a member of CWIB, as well as the chair of the Operations Committee and the vice-chair of the Executive Committee. The California Department of Social Services' (CDSS) Director Rita Saenz is a voting member of the Operations and PBA committees.

### ***Local Workforce Investment Areas (Local Areas)***

A total of 50 Local Areas have been approved by the CWIB. A list of the local areas can be found on the CWIB web page at <http://www.calwia.org>.

### ***WIA State Plan***

California's Strategic Five-Year Plan was approved by DOL on June 29, 2000, contingent upon the completion of the strategies for the youth program design, delineation of California's vision and goals for WIA, and capacity building for staff. CDSS took an active role in the development of the vision and goals, as well as the youth program design. All three parts were completed before December 31, 2000 and approved by DOL on February 12, 2001.

### ***Universal Access Work Group***

CDSS is participating on the Universal Access Work Group. This work group is an inter-agency collaborative work group of the CWIB Operations Committee. The purpose of the work group is to ensure that programs and services offered through WIA are accessible to and usable by persons with disabilities. CDSS is also actively participating in three sub-work groups, (1) Training and Technical Assistance; (2) Assessment and Standards; and (3) Administration and Monitoring.

### ***WIA Earned Income:***

In response to CWDs' inquiries, WIA allowances, earnings and payments received by CalWORKs recipients are to be treated the same as the Job Training Partnerships Act earnings and payments were for purposes of determining eligibility for CalWORKs assistance and grant computation. Refer to MPP 44-111 and 44-111.3(c) for specifics.

Additionally, Section 5(l) of the Food Stamp Act requires WIA earnings to be counted as income except when paid to Food Stamp household members less than 19 years of age. Refer to ACIN No. I-98-00 for more information regarding WIA and the Food Stamp program.

### ***Resource Sharing for the One-Stop System:***

CDSS recommends that CWDs participating in WIA One-Stop systems obtain a copy of the Federal Register Notice, Vol. 65, No. 125, dated Tuesday, June 27, 2000. The Notice provides a general framework for all One-Stop systems to determine the shared costs of each One-Stop partner and provides alternate ways to apply for and fund those costs. You may access it on the Internet at <http://www.access.gpo.gov>

### ***WIA Eligible Youth:***

CalWORKs, Cal-Learn and Foster Care youth, as well as those receiving food stamps and other public assistance benefits are eligible to receive services under WIA as long as they are not less than age 14 and not more than age 21 and have one or more of the following problems:

- Deficient in basic literacy skills.
- A school dropout.
- Homeless, runaway or a foster child.
- Pregnant or a parent.
- An offender.
- Require additional assistance to complete an educational program or to secure and hold employment (e.g., learning and physical disabilities, substance abuse, domestic violence).

For more information about youth eligibility, refer to 20 CFR 664.200 of the WIA final regulations. WIA youth services are provided in 20 CFR 664.410. Individuals who are 18 to 21 years of age may be concurrently enrolled in both youth and adult WIA programs and services (20 CFR 664.500), as well as receive services from the WtW Grant program if they had been in foster care as a minor (20 CFR 645.213(b)).

***DOL Welfare-to-Work (WtW) Grant Program:***

The DOL competitive and formula WtW Grant programs are mandatory partners of the One-Stop system under WIA. Although federal law and regulations are not definitive in requiring operational entities using the State WtW Grant matching funds to be partners in One-Stops, the expenditure of the match dollars are necessary in order to qualify for the federal funds. Therefore, for consistency and non-duplication of services, CDSS strongly recommends that CWDs administering WtW Grant programs, independent of Local Boards, work closely with their local One-Stop Centers.

CDSS commends the strong partnerships with Local Boards and One-Stop partnerships that have been formed through the efforts of CWDs throughout the State. It is important that CWDs continue to work closely with Local Boards and other partners to ensure services are not duplicated and are effectively provided to needy adults and youth preparing to enter the workforce. CDSS will continue to provide clarification as necessary to assist CWDs in the coordination of efforts between the CalWORKs welfare-to-work, Cal-Learn, and Foster Care programs with WIA.

If you have any questions regarding WIA and the DOL WtW Grant program as they apply to the CalWORKs program, please call Pat Loader, Employment Bureau, at (916) 654-1770. WIA questions regarding the Cal-Learn program are to be directed to Chris Minnich, Work Support Services and Teen Programs Bureau, at (916) 654-1074, and Foster Care questions are to be directed to Lindsay Farris, Foster Care Placement Resource Unit, at (916) 323-6214. For Food Stamp questions, call Varaniece Hall, Food Stamp Policy Implementation Unit, at (916) 657-3500.

Sincerely,

***Original Document Signed By  
Charr Lee Metsker on 06/15/01***

CHARR LEE METSKER, Chief  
Employment and Eligibility Branch

c: CWDA  
CSAC  
Regional Advisors